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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/683,729

10/10/2003

Gerhard Mager

ZTP01P18005

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7590

11/22/2006

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EXAMINER

MOON, SEOKYUN

ART UNIT

PAPER NUMBER

2629

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/683,729

Applicant(s)

MAGER ET AL.

Examiner

Seokyun Moon

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-15 and 17-23 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4,6-15 and 17-23 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10/27/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. The Applicant's arguments with respect to claims 1-4, 6-15, and 17-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 2, 4, 6, 7, 11-15, 17, 18, and 21-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Blair (US 6,502,265) and Jacobson (US 6,445,489), and further in view of Comiskey (US 6,473,072).

As to **claim 1**, Blair teaches a household appliance [figs. 1 and 2] having an operating element ("*selectable area 15*" presented by a plurality of pixels included in "*display 10*") [col. 3 lines 6-10 and lines 46-55], a display structure, comprising:

a display device ("*display 10*"), with which information concerning the household appliance can be presented [fig. 2], the display device being an LCD electrically influenced pixel-by-pixel, the operating element projecting through the LCD [col. 3 lines 50-58].

Blair does not teach the display being an electronic paper.

However, Jacobson teaches an electrophoretic display forming an electronic paper to be used for a display on an appliance [col. 11 lines 18-33].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Blair's household appliance to include an electronic paper as its display instead of a conventional LCD, as taught by Jacobson, in order to allow the display to be implemented on surfaces having various shapes, while reducing the cost to produce the display [col. 1 lines 57-60 and col. 11 lines 13-17].

Blair modified by Jacobson does not expressly disclose the electrophoretic display forming an electronic paper display to be a touch screen, which is taught by Blair before the modification.

However, Comiskey teaches an electrophoretic display having touch-sensing function [col. 3 lines 11-14].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined device of Blair and Jacobson to have a touch screen function, as taught by Comiskey, in order to allow the device user of the modified device to program the menu system of the device as taught by Blair.

As to **claim 2**, Blair teaches the display structure comprising at least one unit selected from the group consisting of an operating unit, a control unit of the household appliance, and an external unit, the at least one unit generating a display on the electronic paper [col. 3 lines 62-67].

As to **claim 4**, Blair modified by Jacobson and Comiskey [Blair: fig. 1] teaches the household appliance to have a curved surface and the electronic paper to be applied on the curved surface.

As to **claim 6**, Blair [fig. 2] teaches the operating element ("*selectable area 15*") to be one of the group consisting of a program selector switch and a button.

As to **claim 7**, Blair modified by Jacobson and Comiskey teaches the electronic paper being adhesively attached as a film onto the surface [Jacobson: col. 11 lines 13-17].

The modified Blair does not expressly disclose the appliance to have a surface of one of the group consisting of plastic, glass, wood, and metal.

However, the Examiner takes official notice that it is well known in the art to use plastic or metal as materials to manufacture household appliance's surface.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to specify the surface of the modified Blair's appliance to be made of plastic or metal in order to provide enduring exterior surface for the modified Blair's appliance while reducing the weight of the appliance.

As to **claim 11**, Blair [fig. 3A] teaches the display device being a membrane keyboard for operating input [col. 4 lines 3-15].

As to **claim 12**, Blair teaches the display device being a touch screen for operator input [col. 3 lines 50-55].

As to **claim 13**, all of the claim limitations have already been discussed with respect to the rejection of claim 1.

As to **claim 14**, all of the claim limitations have already been discussed with respect to the rejection of claim 2.

As to **claim 15**, all of the claim limitations have already been discussed with respect to the rejection of claim 4.

As to **claim 17**, all of the claim limitations have already been discussed with respect to the rejection of claim 6.

As to **claim 18**, all of the claim limitations have already been discussed with respect to the rejection of claim 7.

As to **claim 21**, all of the claim limitations have already been discussed with respect to the rejection of claim 11.

As to **claim 22**, all of the claim limitations have already been discussed with respect to the rejection of claim 12.

As to **claim 23**, all of the claim limitations have already been discussed with respect to the rejection of claims 1 and 7.

4. **Claims 3, 8-10, and 19-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Blair, Jacobson, and Comiskey as applied to claims 1, 2, 4, 6, 7, 11-15, 17, 18, and 21-23 above, and further in view of Aisa (US 6,873,876).

As to **claim 3**, the modified Blair does not teach the household appliance to comprise an external unit which is a computer.

However, Aisa [fig. 1] teaches a system comprising a computer to control household appliances [abstract].

It would have been obvious to one of ordinary skill in the art at the time of the invention to adopt Aisa's method of using computer to control household appliances in the modified Blair in order to improve the control system of the modified Blair's appliance, thus to allow the control system to meet specific device users' necessities [col. 3 lines 22-28].

As to **claim 8**, the modified Blair as discussed with respect to the rejection of claim 3 [Aisa: fig. 1] teaches the display structure, wherein:

an object (Aisa: "*computer 10*") external to the appliance has an outer surface;

the object and the appliance have a connection (Aisa: "*electrical network RE*") for transmitting data there-between [Aisa: col. 7 lines 11-19].

The modified Blair as discussed with respect to the rejection of claim 3 does not teach an electronic paper being attached to the outer surface of the object.

However, Jacobson teaches an electronic paper to be attached a notebook computer [col. 11 lines 26-34].

It would have been obvious to one of ordinary skill in the art at the time of the invention to replace Aisa's computer display with Jacobson's electronic paper in order to provide a flexible display screen for Aisa's computer which allows the display screen to be implemented on the surfaces having various shapes, while reducing the cost to produce the display screen [Jacobson: col. 1 lines 57-60 and col. 11 lines 13-17].

As to **claim 9**, the modified Blair [Aisa: fig. 1] teaches the object (Aisa: "computer 10") to be an operating device.

As to **claim 10**, the modified Blair does not expressly teach the connection to be a wireless connection.

However, Examiner takes official notice that it is well known to transmit data between two electronic devices through wireless connection.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to replace Aisa's connection between the computer and the household appliance with a wireless connection in order to eliminate the need of wires for data transmission, and thus to allow a flexible range of placements of the computer and the household appliance.

As to **claim 19**, all of the claim limitations have already been discussed with respect to the rejection of claim 8 except for the electronic paper adhesively being attached as a film onto an outer surface of an external object.

The modified Blair teaches the electronic paper to be attached as a film on to an outer surface of an object on which the electronic paper is placed [Jacobson: col. 11 lines 13-17].

As to **claim 20**, all of the claim limitations have already been discussed with respect to the rejection of claim 10.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seokyun Moon whose telephone number is (571) 272-5552. The examiner can normally be reached on Mon - Fri (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 16, 2006

S.M.

AMR A. AWAD
SUPERVISORY PATENT EXAMINER

